



General Assembly

February Session, 2010

***Raised Bill No. 344***

LCO No. 1605

\* \_\_\_\_SB00344TRA\_\_031510\_\_ \*

Referred to Committee on Transportation

Introduced by:  
(TRA)

***AN ACT CONCERNING THE UPGRADE OR ELIMINATION OF  
HAZARDOUS RAILROAD CROSSINGS AT GRADE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13b-276 of the 2010 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2010*):

4 (a) [The] If the Commissioner of Transportation [, if he] finds that a  
5 dangerous condition exists at such crossing, except a dangerous  
6 condition arising out of improper or inadequate maintenance, said  
7 commissioner shall issue [such] an order to such municipality or to  
8 any such public service company directing the removal, change or  
9 relocation of such crossing, highway, tracks, pipes, wires, poles or  
10 other fixtures or tree or building or other structure, as may be  
11 necessary to eliminate such dangerous condition; and shall apportion  
12 the cost thereof among such public service company or companies,  
13 such municipality and the state, and shall determine the conditions  
14 and the time and manner of the payment of such apportionments,  
15 provided the portion of the cost to be paid by such public service  
16 company in the elimination of any such dangerous conditions on state

17 maintained highways shall not exceed ten per cent. The party or  
 18 parties ordered by said commissioner to perform the work necessary  
 19 to remove such dangerous condition shall serve written notice, at least  
 20 thirty days prior to the approximate date of the commencement of  
 21 such work, upon all other parties in interest, including any public  
 22 service company whose plant is involved or affected by such work,  
 23 and any such public service company shall provide such means as may  
 24 be necessary for the continued use of such plant in such manner as to  
 25 best serve the interests and convenience of the public.

26 (b) The Commissioner of Transportation shall, not later than  
 27 October 1, 2009, and every three years thereafter, provide a report, in  
 28 accordance with the provisions of section 11-4a, to the joint standing  
 29 committees of the General Assembly having cognizance of matters  
 30 relating to transportation and finance, revenue and bonding, regarding  
 31 any railroad crossing at grade. Such report shall (1) list all the at-grade  
 32 rail crossings in the state, (2) identify such crossings that create a  
 33 hazardous situation, (3) provide a budget and identify funding  
 34 sources, including any available federal funding, for upgrading or  
 35 eliminating such hazardous crossings, (4) prioritize the upgrades or  
 36 eliminations that are recommended in such report, and (5) for reports  
 37 submitted pursuant to this subsection after the initial report, describe  
 38 the progress to date in upgrading or eliminating hazardous at-grade  
 39 crossings.

40 (c) The Commissioner of Transportation shall implement a program  
 41 to upgrade or eliminate any railroad crossing at grade that is identified  
 42 in a report submitted pursuant to subsection (b) of this section as  
 43 creating a hazardous situation. The commissioner shall apply for any  
 44 federal funding available for such program and shall set aside, for the  
 45 upgrade or elimination of such crossings, five per cent of funds from  
 46 the Fix-it-First program for state roads.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2010</i>	13b-276
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***TRA***      *Joint Favorable*